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8 Attorneys for Plaintiff

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA

11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,) No. CR-10-0363 SBA
13 Plaintiff,) STIPULATION AND ORDER TO
14 v.) RELEASE PRESENTENCE REPORT TO
15 WAYNE CARTER,) THE PARTIES
16 Defendant.)
17

18 **INTRODUCTION**

19 Wayne Carter (Defendant) has filed a new motion for early termination of his supervised
20 release. Because his conviction took place in the Middle District of Tennessee, attorneys for the
21 United States and Defendant in this district do not have copies of the Presentence Report. The
22 policy of the United States Probation Office in this district is to only release copies of
23 Presentence Reports pursuant to Court orders. Usually, the magistrate judges order release of
24 Presentence Reports when a defendant makes an initial appearance on a petition to revoke
25 Supervised Release. However, there has not been a petition to revoke in this case, so no judge
26 has ordered the release of the Presentence Report. The assigned United States Probation Officer
27 has a copy of the report, which he is willing to provide, once the Court orders it. In light of this
28

1 information, the parties hereby request and stipulate that the Presentence Report should be
2 released to assist in the determination of the motion for early termination.

3 DATED: March 29, 2013

Respectfully submitted,

4 MELINDA HAAG
United States Attorney

5 /s/ Christina McCall
6 CHRISTINA McCALL
7 Assistant United States Attorney

8 /s/ Ned Smock
9 NED SMOCK
Attorney for Wayne Carter

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11 **ORDER**

12 Based on the reason provided in the stipulation of the parties above, the Court
13 hereby ORDERS THAT the United States Probation Office provide a copy of
14 Defendant's Presentence Report to attorneys for the United States and for Mr. Carter.

15

16 **IT IS SO ORDERED.**

17 DATED: 3/28/13

18 
19 SAUNDRA BROWN ARMSTRONG
20 United States District Judge